



Express Mail No.: EV 313 841 957 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application of: Mangano

Confirmation No.: 2354

OCT 30 2003

Serial No.: 09/426,792

Group Art Unit: 1614

TECH CENTER 1600/2900

Filed: October 22, 1999

Examiner: Spivack

For: METHODS FOR REDUCING
MORTALITY AND MORBIDITY
BY POSTOPERATIVE
ADMINISTRATION OF A
PHARMACOLOGIC
CARDIOVASCULAR AGENT

Attorney Docket No.: 9114-004-999

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the final Office Action, mailed April 23, 2003, please consider the following amendments and remarks.

Applicants enclose herewith:

Amendments to the Claims begin on page 2 of this paper;

Remarks begin on page 5 of this paper.

Also included herewith is:

Fee Transmittal Sheet;

Petition for Extension of Time, extending the time to reply by three months, up to and including, October 23, 2003;

Request for Continued Examination; and

Declaration under 37 C.F.R. § 1.132 of Dennis T. Mangano.



10-27-03 61

RCZ

PTO/SB/30 (S/2000)

Approved for use through xx/xx/xxxx. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

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|-----------------------------|-------------------|-----------------------|
| Express Mail No | EV 313 841 957 US | RECEIVED |
| Application Number | 09/426,792 | |
| Filing Date | October 22, 1999 | OCT 3 '0 2003 |
| First Named Inventor | Mangano | TECH CENTER 1600/2900 |
| Group Art Unit | 1614 ✓ | |
| Examiner Name | Spivack | |
| Attorney Docket No. | 9114-004-999 | |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. Previously submitted
 - i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered.)
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed _____
 - iii. Other _____
- b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other Fee Transmittal Sheet (in duplicate)

2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months.
(Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed

- a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Pennie & Edmonds LLP Deposit Account No. 16-1150:
 - i. RCE fee required under 37 C.F.R. § 1.17(e), estimated to be \$ 385.00
 - ii. Extension of time fee required under 37 C.F.R. §§ 1.136 and 1.17, estimated to be \$ 475.00 for a three month extension, the request for which is being made herewith
 - iii. Other _____
- b. Check in the amount of \$ _____ enclosed
- c. Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|---|-----------------------------------|------------------|
| Name (Print/Type) | Rahul Pathak for Samuel B. Abrams (Reg. No. 30,605) | Registration No. (Attorney/Agent) | 42,983 |
| Signature | | Date | October 23, 2003 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents P.O. Box 1450, Mail Stop RCE, Alexandria, VA 22313-1450.

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